

**BURSOR & FISHER, P.A.**

L. Timothy Fisher (State Bar No. 191626)  
Annick M. Persinger (State Bar No. 272996)  
Yeremy O. Krivoshey (State Bar No. 295032)  
1990 North California Blvd., Suite 940  
Walnut Creek, CA 94596  
Telephone: (925) 300-4455  
Facsimile: (925) 407-2700  
E-Mail: ltfisher@bursor.com  
apersinger@bursor.com  
ykrivoshey@bursor.com

**BURSOR & FISHER, P.A.**

Scott A. Bursor (State Bar No. 276006)  
888 Seventh Avenue  
New York, NY 10019  
Telephone: (212) 989-9113  
Facsimile: (212) 989-9163  
E-Mail: scott@bursor.com

*Attorneys for Plaintiffs*

UNITED STATES DISTRICT COURT

EASTERN DIVISION OF CALIFORNIA

KINAYA HEWLETT, MAYRA GARCIA,  
and ZACHARY WERLHOF, on Behalf of  
Themselves and all Others Similarly Situated,

Plaintiffs,

v.

CONSOLIDATED WORLD TRAVEL, INC.  
d/b/a HOLIDAY CRUISE LINE,

Defendant.

Case No. 2:16-cv-00713-WBS-AC

**STIPULATION AND [PROPOSED]  
ORDER TO (1) EXTEND DEFENDANT'S  
TIME TO RESPOND TO THE  
COMPLAINT; (2) SET A BRIEFING  
SCHEDULE; AND (3) RESCHEDULE  
STATUS CONFERENCE**

1 Plaintiffs Kinaya Hewlett, Mayra Garcia, and Zachary Werlhof and Defendant Consolidated  
2 World Travel, Inc. ("CWT"), by and through their undersigned counsel,<sup>1</sup> hereby stipulate and agree as  
3 follows:

4 WHEREAS, Plaintiffs filed the instant action on April 6, 2016;

5 WHEREAS, CWT's Response to the Complaint is presently due on or before April 29, 2016;

6 WHEREAS, the parties have determined that they would both benefit from additional time to  
7 respond to the Complaint and to brief any motion to dismiss filed by CWT;

8 WHEREAS, a Status (Pretrial Scheduling) Conference before the Court is presently  
9 scheduled for August 1, 2016 at 1:30 p.m.;

10 WHEREAS, the parties, to minimize travel expenses and burdens for counsel for both parties,  
11 desire to have the Status (Pretrial Scheduling) Conference occur on the same date as the hearing on  
12 CWT's anticipated motion to dismiss;

13 IT IS HEREBY STIPULATED that:

14 1. The time for CWT to respond to Plaintiffs' Complaint shall be extended by 21 days to  
15 May 20, 2016;

16 2. Plaintiffs' response in opposition to any motion to dismiss filed by CWT shall be filed  
17 on or before June 13, 2016;

18 3. CWT's reply brief shall be filed on or before June 27, 2016;

19 4. The hearing date for any motion to dismiss filed by CWT shall be August 22, 2016;

20 5. The Status (Pretrial Scheduling) Conference presently scheduled for August 1, 2016 at  
21 1:30 p.m. shall be rescheduled for August 22, 2016 at 1:30 p.m.

22 6. Notwithstanding the rescheduling of the Status (Pretrial Scheduling) Conference, the  
23 parties shall confer and attempt to agree upon a discovery plan, as required by Federal Rule of Civil  
24 Procedure 26(f), by no later than July 11, 2016.

25  
26 <sup>1</sup> The undersigned is lead national counsel for CWT. CWT is presently in the process of retaining  
27 local counsel to represent it in this matter. Once local counsel has been retained, the undersigned will  
immediately move for admission to this Court *pro hac vice*.

1 Dated: April 28, 2016

**BURSOR & FISHER, P.A**

2 By: /s/ L. Timothy Fisher

3 L. Timothy Fisher

4 L. Timothy Fisher (State Bar No. 191626)  
5 Annick M. Persinger (State Bar No. 272996)  
6 Yeremy O. Krivoshey (State Bar No. 295032)  
7 1990 North California Blvd., Suite 940  
8 Walnut Creek, CA 94596  
9 Telephone: (925) 300-4455  
10 Facsimile: (925) 407-2700  
11 E-Mail: ltfisher@bursor.com  
12 apersinger@bursor.com  
13 ykrivoshey@bursor.com

**BURSOR & FISHER, P.A**

10 Scott A. Bursor (State Bar No. 276006)  
11 888 Seventh Avenue  
12 New York, NY 10019  
13 Telephone: (212) 989-9113  
14 Facsimile: (212) 989-9163  
15 E-Mail: scott@bursor.com

*Attorneys for Plaintiffs*

15 Dated: April 28, 2016

**GREENSPOON MARDER, P.A.**

16 By: \_\_\_\_\_

17 Jeffrey A. Backman

18 Richard W. Epstein  
19 (Request for admission *pro hac vice* forthcoming)  
20 Richard.Epstein@gmlaw.com  
21 Jeffrey A. Backman  
22 (Request for admission *pro hac vice* forthcoming)  
23 Jeffrey.Backman@gmlaw.com  
24 Roy Taub  
25 (Request for admission *pro hac vice* forthcoming)  
26 Roy.Taub@gmlaw.com  
27 200 East Broward Blvd., Suite 1800  
28 Fort Lauderdale, FL 33301  
Tel: (954) 491-1120  
Fax: (954) 213-0140

*Attorneys for Defendant*


1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDER**

The Court, having duly considered the parties' stipulation as set forth above, and good cause appearing, hereby orders as follows: (1) the time for Defendant Consolidated World Travel, Inc. ("CWT") to respond to Plaintiffs' Complaint shall be extended by 21 days to May 20, 2016; (2) Plaintiffs' response in opposition to any motion to dismiss filed by CWT shall be filed on or before June 13, 2016; (3) CWT's reply brief shall be filed on or before June 27, 2016; (4) the hearing date for any motion to dismiss filed by CWT shall be August 22, 2016; (5) the Status (Pretrial Scheduling) Conference presently scheduled for August 1, 2016 at 1:30 p.m. shall be rescheduled for August 22, 2016 at 1:30 p.m; and (6) notwithstanding the rescheduling of the Status (Pretrial Scheduling) Conference, the parties shall confer and attempt to agree upon a discovery plan, as required by Federal Rule of Civil Procedure 26(f), by no later than July 11, 2016.

**IT IS SO ORDERED.**

Dated: May 2, 2016

  
\_\_\_\_\_  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE